

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

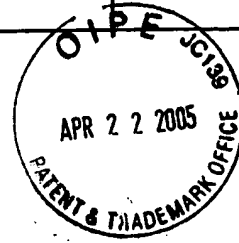
Docket Number (Optional)
31655-2029

In re Application of: RICHARDSON

Application No. 09/773,674

Filed: February 2, 2001

For: Test slide for microscopes and method for the production of such a slide



The owner*, Richardson Technologies Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,381,013 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

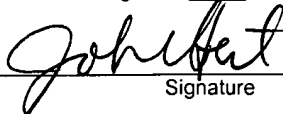
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record. Reg. No. 36424


Signature

April 21, 2005
Date

John C. Hunt
Typed or printed name

04/25/2005 HALI 1 00000019 09773674

02 FC:2814

65.00 OP

416.865.8121
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

In consideration of the sum of one dollar and other good and valuable consideration, receipt of which is hereby acknowledged, I, the undersigned, whose name and complete address are listed below:

<u>Name</u>	<u>Address</u>
Timothy M. Richardson	3 Carroll Court, Palgrave, Ontario, L0N 1P0, Canada


do, to the extent I have not already done so, hereby sell, assign and transfer unto **RICHARDSON TECHNOLOGIES INC.**, hereinafter called the Assignee, whose full post office address is 480 University Avenue, Suite 410, Toronto, Ontario M5G 1V2 Canada, and to the Assignee's successors, assigns, nominees or other legal representatives, my entire right, title, interest, property and benefit for the United States of America and all other countries, in and to my invention relating to MICROSCOPE SLIDE SYSTEM AND METHOD OF USE, as fully set forth and described in United States Patent Application No. 09/773,674 filed February 2, 2001, together with my entire right, title, interest, property and benefit for the United States of America and all other countries, in and to the aforementioned application, any foreign applications corresponding thereto and any Letters Patent which may issue for the invention from such applications, including all divisions, continuations, continuations-in-part, re-examinations, reissues and extensions, and any rights of priority resulting from the filing of the above-identified applications under international conventions, treaties or otherwise, the same to be held and enjoyed as fully and exclusively as they would have been by me had this sale, assignment and transfer not been made;

I hereby covenant and agree, for myself and for my heirs, executors and administrators, to do all such things and to execute and deliver without further consideration such further assurances, applications, instruments, assignments and other documents as may reasonably be required by the Assignee to obtain Letters Patent in the United States of America and all other countries, for the invention, and vest or secure the same in the Assignee;

I hereby authorize any official whose duty it is to grant patents, to grant any Letters Patent for the invention to the Assignee, and to its successors, assigns, nominees or other legal representatives.

IN WITNESS WHEREOF, I have hereunto signed my name on the day and year set forth below:

Signed at Toronto this 14th day of April, 2005.

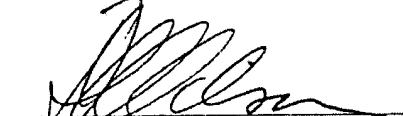


Signature of Timothy M. Richardson

Witness Statement

I, KEN F. WILSON, whose full post office address is SUITE 410
480 UNIVERSITY AVENUE, TORONTO, M5G 1V2

state that I was personally present and did see Timothy M. Richardson, who is personally known to me to be the person named in the above assignment, duly sign and execute the same on the date set forth above.



Signature of Witness

BEST AVAILABLE COPY

BEST AVAILABLE COPY

5. A) The amalgamation agreement has been duly adopted by the shareholders of each of the amalgamating corporations as required by subsection 176(4) of the Business Corporations Act on the date set out below.

A) Les administrateurs de chaque société qui fusionne ont dûment adopté la convention de fusion conformément au paragraphe 176(4) de la Loi sur les sociétés par actions à la date mentionnée ci-dessous.

☒ CHECK
A OR B



B) The amalgamation has been approved by the directors of each amalgamating corporation by a resolution as required by section 177 of the Business Corporations Act on the date set out below.

B) Les administrateurs de chaque société qui fusionne ont approuvé la fusion par voie de résolution conformément à l'article 177 de la Loi sur les sociétés par actions à la date mentionnée ci-dessous.

The articles of amalgamation in substance contain the provisions of the articles of incorporation of

Les statuts de fusion reprennent essentiellement les dispositions des statuts constitutifs de

and are more particularly set out in these articles.

et sont énoncés textuellement aux présents statuts.

Names of amalgamating corporations Dénomination sociale des sociétés qui fusionnent	Ontario Corporation Number Numéro de la société en Ontario	Date of Adoption / Approval Date d'adoption ou d'approbation
Bio-Microtech Inc.	1254067	December 28, 2001
Northern Information Systems Inc.	1252635	December 28, 2001
Northern Edge Associates Inc.	1224305	December 28, 2001

Form 4
Business
Corporations
Act

Formule 4
Loi sur les
sociétés par
actions

These articles are in duplicate.

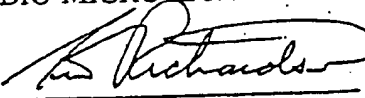
Les pré:
ex: atuts sont signés en double

Names of the amalgamating corporations and
signatures and descriptions of office of their proper
officers.

Dénomination sociale des sociétés qui fusionnent,
signature et fonction de leurs dirigeants
régulièrement désignés.

BIO-MICROTECH INC.

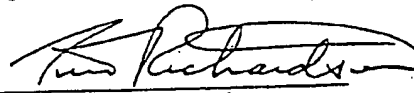
By:



Timothy M. Richardson
Secretary

NORTHERN INFORMATION SYSTEMS INC.

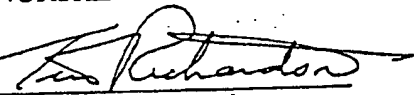
By:



Timothy M. Richardson
President

NORTHERN EDGE ASSOCIATES INC.

By:



Timothy M. Richardson
President

Document prepared by
Blake, Cassels &
Graydon LLP
Barristers and Solicitors
Toronto, Ontario

SoftDocs® 4.1
Wordprocessor Interface

SoftDocs is a registered trade
mark of Stylus Corporation,
Toronto, Canada.

osca Form 4 1/1999

BEST AVAILABLE COPY

Form 4
Business
Corporations
Act

Formule 4
Loi sur les
sociétés par
actions

6. Restrictions, if any, on business the corporation may carry on or powers the corporation may exercise:

Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :

None.

7. The classes and any maximum number of shares that the corporation is authorized to issue:

Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :

The Corporation is authorized to issue an unlimited number of shares of one class designated as common shares.

Document prepared by
Blake, Cassels &
Goydon LLP
Barristers and Solicitors
Toronto, Ontario

SoftDocs® 43
Wordprocessor Interface

SoftDocs is a registered trade
mark of StyleUs Corporation,
Toronto, Canada.

OSCA Form 4 1/1999

BEST AVAILABLE COPY

8. Rights, privileges, restrictions and conditions (if any) attaching to any class of shares and directors' authority with respect to any class of shares which may be issued in series:

Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à toute catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :

Common Shares

1. Voting Rights

The holders of the common shares shall be entitled to receive notice of, attend at and vote at any meeting of the shareholders of the Corporation on the basis of one vote for each common share held at the time of any such meeting.

2. Dividend Rights

The holders of the common shares shall be entitled to receive dividends as and if declared on the common shares by the board of directors of the Corporation.

3. Return of Capital

The holders of the common shares shall be entitled to share pro rata according to the number of common shares held, in the remaining property of the Corporation upon liquidation, dissolution, bankruptcy, winding-up or other distribution of the assets of the Corporation among its shareholders for the purpose of winding-up its affairs.

9. The issue, transfer, or
is / is not restricted
(if any) as follows:

ownership of shares
and the restrictions

L'émission
est-elle
restreinte ?

transfert ou la propriété d'actions
est-elle restreinte. Les restrictions, s'il y a lieu, sont

The right to transfer shares of the Corporation shall be restricted in that (a) if a Unanimous Shareholders Agreement has been entered by, or is binding upon the shareholders and the Corporation, no shareholder shall be entitled to transfer any share of the Corporation, except in accordance with the Unanimous Shareholders Agreement; and (b) if no Unanimous Shareholders Agreement has been entered by, or is binding upon the shareholders and the Corporation, no shareholder shall be entitled to transfer any share of the Corporation unless the transfer has been approved by the directors of the Corporation, such approval to be signified by a resolution of the board of directors of the Corporation.

10. Other provisions, if any:

Autres dispositions, s'il y a lieu :

None.

BEST AVAILABLE COPY

11. The statements required by subsection 178(2) of the Business Corporations Act are attached as Schedule "A".
12. A copy of the amalgamation agreement or directors resolutions (as the case may be) is/are attached as Schedule "B".

Les déclarations exigées aux termes du paragraphe 178(2) de la Loi sur les sociétés par actions constituent l'annexe "A".

Une copie de la convention de fusion ou les résolutions des administrateurs (selon le cas) constitue(nt) l'annexe "B".